

In re application of:

Group Art Unit:

Unknown

**KURT STARK** 

Examiner:

Unknown

Serial No.:

10/556,000

Filed:

November 8, 2005

For:

METHOD FOR THE PRODUCTION OF POWDER-TYPE

ETHYLENE VINYL ALCOHOL MIXED POLYMERS

Attorney Docket No.: WAS 0731 PUSA

## INFORMATION DISCLOSURE STATEMENT **UNDER 37 C.F.R. § 1.97(b)**

Mail Stop Amendment Commissioner for Patents U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and §§ 1.97-1.98, the references listed and identified on the attached Forms PTO/SB08A and/or SB08B are being submitted herewith for consideration by the Examiner. This statement is being filed in accordance with 37 C.F.R. § 1.97(b).

While this Statement is being filed in compliance with the duty of disclosure, citation of the listed references is not to be construed as an admission that any of the references are "material" as defined under 37 C.F.R. § 1.56(b).

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL)

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

2/27/2006

Date of Deposit

William G. Conger

Name of Person Signing

Atty Dkt No. WAS 0731 PUSA

S/N: 10/556,000

Accompanying the Information Disclosure Statement is the statement of Dr. Michael Schuderer describing the content of the references cited in the Information Disclosure Statement.

No copies of the listed U.S. patent references or the listed U.S. patent application publication references have been included herewith pursuant to 37 C.F.R. § 1.98(a)(2). All other references have been provided as required. Consideration and entry into the record of the listed references is respectfully requested.

Respectfully submitted,

**KURT STARK** 

William G. Conger Reg. No. 31,209

Attorney for Applicant

Date: February 27, 2006

**BROOKS KUSHMAN P.C.** 

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## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of KURT STARK Serial Number

**Group Art Unit:** 

Filed:

For: METHOD FOR THE PRODUCTION OF POWDER-TYPE ETHYLENE VINYL ALCOHOL MIXED POLYMERS:

## Information Disclosure Statement

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir or Madam:

I, Michael Schuderer, associated with the preparation and prosecution of the above-identified application, residing at Thurneyssenstraße 22, 80687 München, Germany, wish to call the attention of the Patent Examiner to the references enumerated on the enclosed PTO Form-1449.

I believe the documents enumerated on the enclosed Form PTO-1449 and attached thereto, are cited in the enclosed applicationEuropean/International Search Report and may be material to the examination of the application.

Therefore, it is respectfully requested that the foregoing Information Disclosure Statement be considered by the Examiner and incorporated into the file of this application.

I wish to comment as follows concerning the prior art references enumerated on PTO Form-1449:

EP-A 1 072 616 is already in English language.

US-A 4 309 525 is already in English language.

For JP-A 60-199004 an English PAJ abstract is enclosed.

For JP-A 11-80263 an English PAJ abstract is enclosed.

EP-A 99 7250 is already in English language.

EP-A 10 85028 is already in English language.

US-A 4 100 335 is already in English language.

US-A 4 104 453 is already in English language.

US-A 4 820 803 is already in English language.

US-A 4 719 259 is already in English language.

Signed this  $2^{h}$  day of November, 2005.

Dr. Michael Schuderer

PTO/SB/08A (10-96) [MODIFIED]
Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form 1449A/PTO MAR 0 2 2006			0 2 2006	Complete if Known		
INFORMATION DISCLOSURE				Application Number	10/556,000	
INFORM	MATION D	ISE	LOSORE	Filing Date	November 8, 2005	
STATEMENT BY APPLICANT				First Named Inventor	Kurt Stark	
				Group Art Unit	Unknown	
(us	e as many sheets	as ne	ecessary)	Examiner Name	Unknown	
Sheet	1	of	2 -	Attorney Docket Number	WAS 0731 PUSA	

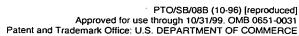
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.1	U.S. PATENT DOCUMENT  Kind Code <sup>2</sup> Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4,100,335		McClain et al.	07-11-1978	
		4,104,453		Broering et al.	08-01-1978	
		4,309,525		Nakabayashi et al.	01-05-1982	
		4,719,259		Jenkins	01-12-1988	
		4,820,803		McClain	04-11-1989	
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FOREIGN PATENT DOCUMENTS								
Examiner Cite		Foreign Patent Document  Kind Code <sup>5</sup> Office <sup>3</sup> Number <sup>4</sup> ( <i>if known</i> )			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		EP	0 997 250 A1		Nippon Gohsei	05-03-2000		
		EP	1 072 616 A2		Kuraray Co., Ltd.	01-31-2001	•	
		EP	1 085 028 A1		Nippon Gohsei	03-21-2001		
		JР	60199004 A		Kuraray Co., Ltd.	10-08-1985		
		JР	11080263 A		Nippon Synthetic	03-26-1999		

Examiner	Date
Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Substitute for Form 1449B/F Complete if Known 10/556,000 **Application Number** INFORMATION DISCLOSURE Filing Date November 8, 2005 STATEMENT BY APPLICANT **First Named Inventor** Kurt Stark Group Art Unit Unknown (use as many sheets as necessary) **Examiner Name** Unknown Sheet of Attorney Docket Number WAS 0731 PUSA OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Examiner T <sup>2</sup> publisher, city and/or country where published. Initials Cite No.1 Patent Abstract of Japan Corresponding to JP 60199004 A. Patent Abstract of Japan Corresponding to JP 11080263 A.

Examiner	Date	
Signature	Consid	ered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.